

BB

PLAINTIFF		COURT CASE NUMBER
<u>Peter Peretz</u>		08C4346
DEFENDANT		TYPE OF PROCESS
<u>Gregory Sims, et al.</u>		S/C
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
→	<u>Gregory Sims, Former Warden, Taylorville Correctional Center</u>	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
AT	<u>Taylorville Correctional Center P.O. Box 1000, Taylorville, IL 62568</u>	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
<input type="checkbox"/> Peter Peretz 108 Nina Lane Bartlett, IL 60103		Number of process to be served with this Form - 285 1 Number of parties to be served in this case 3 Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

J.N. **FILED**

SEP 12 2008

Sept 12, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Signature of Attorney or other Originator requesting service on behalf of:		<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE SERVED
		<input type="checkbox"/> DEFENDANT	08-18-08	

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Td	Date
	1/3	No. 24	No. 24			08-18-08

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)		Date of Service	Time	am
<i>Received signed warden of summers.</i> <i>✓ RECEIPT of Certified delivery (green case).</i>		<i>8/25/08</i>		pm
		Signature of U.S. Marshal or Deputy		

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
<i>0</i>	<i>0</i>	<i>6.24</i>	<i>6.24</i>	<i>0</i>	<i>6.24</i>	<i>10</i>

REMARKS: *Mailed Certified mail w/ tracking 100707100000
 9600 0481*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

(DISTRICT)

Waiver of Service of Summons

J.N. **FILED**

SEP 12 2008
SAY 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

TO: Peter Peretz

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Gregory Sims

(DEFENDANT NAME)

acknowledge receipt of your request that I waive

service of summons in the action of Peter Peretz vs. Gregory Sims, et al.

(CAPTION OF ACTION)

which is case number 08C4346

(DOCKET NUMBER)

in the United States District Court for the

Northern District of Illinois

(DISTRICT)

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

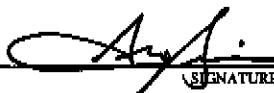
I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after August 18, 2008

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

8/25/08
DATE



SIGNATURE

Printed/Typed Name: GREGORY C. SIMS

As Warden

TITLE

of Taylorville Correctional Center

CORPORATE DEFENDANT

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown to its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Taylorville Correctional Center
 Attn: Lt. Phillip Huber
 P.O. Box 1000
 Taylorville, IL 62568

A. Signature

X *J. Huber*

Agent
 Addressee

B. Received by (Printed Name)

D. W. Barr

C. Date of Delivery

8/20/08

D. Is delivery address different from Item 1? Yes
 If YES, enter delivery address below: No

J.N FILED

SEP X 2

SEP X 2 2008

3. Service Type (Check one)

Certified Mail
 Registered
 Insured Mail

Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

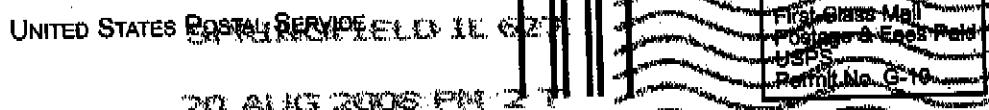
(Transfer from service label)

7007 0710 0000 9600 0481

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540



* Sender: Please print your name, address, and ZIP+4 in this box *

United States Marshals Service
 219 S. Dearborn Street, Room 2444
 Chicago, IL 60604
 Attn: Civil

08C4346

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